

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

April 23, 2001

<b>IN RE:</b>	)	
	)	
<b>GENERIC DOCKET TO ESTABLISH UNE PRICES</b>	)	<b>DOCKET NO.</b>
<b>FOR LINE SHARING PER FCC 99-355, AND RISER</b>	)	<b>00-00544</b>
<b>CABLE AND TERMINATING WIRE AS ORDERED</b>	)	
<b>IN TRA DOCKET 98-00123</b>	)	

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**ORDER APPROVING AGREED INTERIM,  
MONTHLY, RECURRING RATE FOR ELEMENT J.4.3**

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This matter came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference held on March 20, 2001 upon the filing of a letter on February 9, 2001 by BellSouth Telecommunications, Inc. ("BellSouth") requesting Authority approval of a settlement agreement as to BellSouth's interim, monthly, recurring rate for Element J.4.3, Line Sharing Splitter- Per Line Activation in the Central Office.

During the September 26, 2000 Authority Conference, the Authority adopted an interim rate of \$3.48 for Element J.4.3.<sup>1</sup> On February 9, 2001, BellSouth filed a letter explaining that it and the Data Coalition<sup>2</sup> settled on an interim, monthly, recurring rate of \$0.61 for Element J.4.3 subject to true-up upon the setting of permanent rates. On March 7, 2001, the Authority issued a notice allowing all parties until March 14, 2001 to file

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<sup>1</sup> See *Order Adopting Interim Rates*, Exhibit 1, p. 2 (Nov. 7, 2000).

<sup>2</sup> The Data Coalition consists of DIECA Communications Company d/b/a Covad Communications Company, Broadslate Networks of Tennessee, and MGC Communications, Inc. d/b/a Mpower Communications.

comments regarding the proposed settlement. The Data Coalition was the only party to respond, and it responded in support of the settlement agreement.

There being no opposition to the proposed settlement and after reviewing the record in this proceeding, the Authority finds that approval of the \$0.61 interim, monthly, recurring rate is in the public interest because assessment of the lower rate is likely to enable requesting carriers to accelerate the deployment of xDSL<sup>3</sup> services in Tennessee. In addition, the Authority finds the approval of this rate will not result in discrimination between carriers because the interim rates adopted in this docket apply to all requesting carriers, not just those that are parties to this docket. Based on these findings and the record in this proceeding, the Authority voted unanimously to adopt \$0.61 as the interim, monthly, recurring rate for Element J.4.3.

**IT IS THEREFORE ORDERED THAT:**

1) The agreed interim, monthly, recurring rate for Element J.4.3, Line Sharing Splitter – Per Line Activation in the Central Office, of \$0.61 is approved. This rate is subject to true-up, as agreed to by the parties, once the Authority establishes permanent rates.


2) The rate of \$0.61 for Element J.4.3 shall replace the previously adopted interim rate of \$3.48 listed in Exhibit #1 to the *Order Adopting Interim Rates* entered in this proceeding on November 7, 2000.

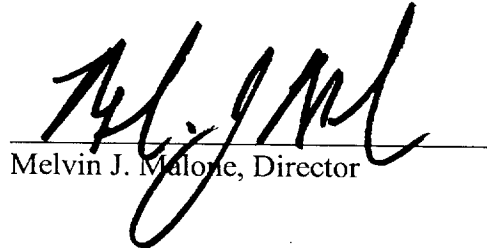
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<sup>3</sup> xDSL is an acronym for Digital Subscriber Line. xDSL utilizes a portion of the bandwidth of copper loops that is not used for plain old telephone service. xDSL equipment must be installed on both ends of the copper loop and the loop must be able to sustain the higher frequencies of the xDSL signal. There are several types of xDSL and each is designed to satisfy specific goals and needs of the marketplace.

3) Any party aggrieved by this Order may file a Petition for Reconsideration pursuant to Tenn. Code Ann. § 4-5-317 with the Tennessee Regulatory Authority within fifteen (15) days of the entry of this Order.

  
Sara Kyle, Chairman

  
H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTESTED:

  
K. David Waddell, Executive Secretary